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# An Official View of Liquor Prohibition in the United States

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# AN OFFICIAL VIEW OF LIQUOR PROHIBITION IN THE UNITED STATES

By DR. JAMES M. DORAN

*Commissioner of Prohibition of the United States of America\**



THE many years of effort put forth in the United States in dealing with the subject of alcoholism finally resulted in the establishment of a national policy through constitutional change; and subsequent statutory enactments by the Congress to put into effect the constitutional prohibition of intoxicating liquors for beverage purposes.

The policy in brief encompasses both the prohibition of intoxicating alcoholic liquors for beverage purposes and the control of industrial alcohol and liquors used for manufacturing, medicinal, and other non-beverage purposes; the policy with respect to the latter being one of constructive aid to industries using alcohol and liquors for legitimate manufacturing purposes.

The adoption of this national policy has been the result of a slow, steady and logical political development, working through the small political subdivisions and finally through the states and the

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\*Address before the International Congress Against Alcoholism, Antwerp, August 20-25, 1928, which Dr. Doran attended as an official delegate from the United States.

national Congress itself. Political action has been coincident with the scientific and industrial development of the past forty years that has brought about such radical changes in the occupations and habits of the people. This scientific and mechanical advance has brought into sharp outline a steadily increasing consciousness of the unsocial aspects of beverage alcohol.

During the period in which this national policy was forming we witnessed three distinct lines of activity. The moral forces, supplemented by the social workers, labored continuously for amelioration of social conditions by urging the complete elimination of the manufacture and sale of beverage liquors. Next, the industrialist and economist, noting the inefficiency and positive danger attendant upon the use of beverage liquor by the individual in industry, with the resulting injury to the individual, and losses to the worker's associates and family, the net result being a load on industry with a lowering of the standard of living on the part of all dependent on the particular industry, took aggressive steps to eliminate the use of intoxicants by individual employees. Common carriers, public service corporations and manufacturing corporations where fine mechanical control was essential took steps to eliminate the individual who used intoxicating liquor. Finally the scientist, and in that category we would particularly mention the pharmacologist and the chemist, worked in two distinct fields. The former determined that alcohol was

distinctly a depressant and acted directly on the nerve centers controlling coordination of actions. The latter found that alcohol could be made useful to the race in hundreds of processes and products, thereby showing the way in which the compound ethyl alcohol might be employed as a constructive aid to the race rather than as a destructive agent.

All of these moral, social, economic and scientific forces contributed to the steady and logical political action by which and through which the State acted and brought into existence our present body of constitutional and statute law commonly referred to as National Prohibition.

Eight and one-half years are a comparatively short time in which to survey and accurately assess the good and bad features resulting from the adoption of such a broad national policy intimately affecting all the people as it does, but the general result thus far has been wholesome and beneficial. The Eighteenth Amendment to our Constitution conferred concurrent power on both the States and the Federal Government to enforce its provisions. Under our theory of government the States exercise the maximum police powers and, hence, the local enforcement of prohibition should rest largely on the State. The Federal Government has proceeded to build up a national organization primarily for the purpose of enforcing the criminal provisions of the National Prohibition Act through the Federal courts. The Federal force directs its attention largely to vio-

lations relating to sources of supply, interstate violations and international violations. While it has jurisdiction with respect to all violations, large and small, it naturally directs its resources along the lines of major operations. The Federal organization also administers the sections of the law dealing with the permissible use of alcohol and liquors for manufacturing, medicinal and other non-beverage purposes. Federal taxes are still levied on alcohol and liquors when withdrawn in a pure state for medicinal and certain commercial non-beverage purposes. The amount of taxes collected from this source last year was \$11,396,173.47.

We have at the present time a Federal force of about 3,800 men in the various branches of the Bureau of Prohibition. This force is employed solely on internal work. As illustrative of the volume of this work I would point out that during the past year 40,709 prosecutions were commenced in the Federal courts, resulting in 31,717 convictions and 949 acquittals. The fines and penalties imposed were \$5,716,708. The Bureau of Prohibition issues permits to and supervises the activities of about 160,000 permit holders of all classes. This includes the manufacturer of alcohol, the denaturer, the industrial user, the pharmacist, the hospital, the physician and numerous other miscellaneous permit holders.

It is not my purpose to quote statistical matter, but the above figures illustrate the activity of the United States

Government in the internal administration of the prohibition laws.

The United States Coast Guard, the Bureau of Customs and the Bureau of Prohibition are coordinate services in the Department of the Treasury. The Coast Guard patrols the deep waters around the United States, using several hundred vessels, large and small, and a personnel of 11,000 men in the carrying out of their function which is the saving of life and property at sea and the prevention of introduction of illegal merchandise and aliens into the United States. The Bureau of Customs patrols the land borders and guards all ports of entry. They collect the revenue from tariff and prevent the introduction of unlawful and untax-paid merchandise into the United States. You will see, therefore, that the Government of the United States, through the Treasury Department, employs three coordinate services in the enforcement of the constitutional provisions relating to the liquor traffic, namely, the Coast Guard at sea, the Customs on the land and water borders, and the Bureau of Prohibition internally.

Many superficial observations and assertions have been made with respect to the operation of the prohibition policy in the United States. In discussing the net results observable thus far it is well that we use great care in properly assessing the available data and not generalize from two or three specific facts. Very few people who have written at length on the effect of prohibition in the United States have assembled their data in a

scientific manner where comparison observations can be made. Pickett of Washington has assembled some very good material, however, on mortality, deaths from alcoholism and arrests for intoxication and crimes attributable to the use of intoxicants. Fisher, of Yale University, has compiled social and economic data and has drawn his conclusions from that data. Feldman, of Dartmouth College, has likewise assembled economic and industrial data and commented thereon. The conclusions of these men, who have devoted considerable study to this carefully compiled data, have been that the benefits of prohibition on the national life are real and determinable. Entirely outside of the observation of the economist have been the statements of the leading social workers relative to the beneficial effects of prohibition on the social lives of the people. That there has been a substantial change in the daily lives of the people is a matter of common observation, the final conclusion being that the effect of this national policy has been most salutary.

The Government of the United States is proceeding earnestly and in good faith with all available resources to bring about the maximum degree of enforcement of the criminal law. It is likewise earnestly endeavoring to aid all industries using alcohol for manufacturing and other non-beverage purposes, and in the latter endeavor it has the active cooperation of the organized industries affected. The Bureau of Prohibition has an unofficial Industrial Advisory Council



composed of twelve leading scientists and industrialists who confer and advise with us on joint problems, and the administration of the law is directed along cooperative and constructive lines. The experience of the United States of the last eight years shows that it is entirely possible to have a sound and healthy chemical industry in which alcohol is an essential material, and prohibition of beverage liquor at the same time.

The earnest effort of the Government of the United States in enforcing its laws makes it not inappropriate to suggest that other nations cooperate with the United States to combat the international illicit traffic in liquor. The need for such an arrangement is becoming increasingly apparent. We hope that the future will bring about stronger cooperative action between nations in the suppression of this illicit traffic, in order to permit prohibition countries to combat alcoholism by effective action developed on a wide basis, and so that those countries may be in a position to deal solely with an internal problem, instead of being compelled to exert tremendous efforts to combat an international illicit liquor traffic which uses the ports of many foreign nations and seeks the protection of the flags of those nations to cover illegal acts.

At the present time there are at least twenty-five ports in foreign countries used almost exclusively as bases for smuggling operations to the United States.

I seize this opportunity to suggest a

very simple solution to this nefarious international traffic. If the appropriate governments would require the production of a duly authenticated landing certificate, showing that liquor exported was actually discharged at the port for which the vessel cleared, it would clearly distinguish legitimate trade from illicit traffic, and drive the latter from the society of nations.

I might say that the Government of Norway has taken a noteworthy step in eliminating smuggling by Norwegian vessels, which should be followed by other nations.

We all desire to promote the welfare of the people, the basic purpose for which government exists, and in no field can greater good be accomplished than in lessening the evils of alcoholism.



